

Application No. 09/933,567

**REMARKS**

Consideration of the present application is respectfully requested in light of the above amendments and in view of the following remarks. After entry of the foregoing amendments, Claims 1, 3-5, 7-9, 11-13, 20 and 63-72 remain pending in the present application. Claims 1, 5, 9, 13, 20 63 and 72 are the independent claims. The Examiner has rejected all pending Claims under 35 U.S.C. § 103, as allegedly being unpatentable over U.S. Patent No. 5,983,208 to Haller et al. (hereinafter "*Haller*") in view of U.S. Patent Application Publication No. 2005/0171811 A1 to Campbell et al. (hereinafter "*Campbell*"). The Applicants respectfully traverse these rejections. The Applicants offer remarks below to address each independent claim separately, as the Applicants believe that each independent claim is separately patentable over the prior art of record.

**Independent Claim 1**

It is respectfully submitted that *Haller* and *Campbell*, alone and in combination, fail to describe, teach or suggest all of the features of previously amended independent Claim 1. In the first place, the rejection in the Final Office Action fails to address all of the amendments to Claim 1 that were previously presented by the Applicants. Specifically, the rejection fails to address the features of "storing the consumer profile information in a central data repository comprising a plurality of information accounts, associated with a plurality of different consumers," as recited in previously amended independent Claim 1. (See Final Office Action ¶ 9.) The rejection does not indicate that such features are disclosed by *Haller*, *Campbell* or any of the other art of record. In support of the rejection, the Examiner cites to the same sections of *Haller* that were cited in the prior Non-Final Office Action (see Final Office Action ¶ 4 stating "(note; wallet file (2640) Figure 26 (i.e. profile); col. 103 line 55 through col. 105)", which, Applicants respectfully submit, do not describe the above features.

*Haller* describes a system for securely transmitting payment information between a customer, a merchant and a payment gateway system. (See *Haller* Col. 18, lines 12-28 and Figure 1B). A payment gateway is a system that provides electronic commerce services in support of a bank or other financial institution, and that interfaces to the financial institution to support the authorization and capture of transactions. (See *Haller* Col. 13, lines 18-22). Furthermore, the

Application No. 09/933,567

payment gateway system returns a certification, including a credit confidence factor to allow a merchant to determine whether to accept or reject payment information utilizing a flexible, extensible architecture. (See *Haller* Col. 1, lines 9-17).

The payment processing system of *Haller* involves a consumer using a browser 140 to shop a merchant web site 180 for products. When the consumer decides to make a purchase, the system gathers the consumer's personal information, including payment information, and processes the information with a Certificate Issuance Common Gateway Interface ("CGI") 162 at a Bank Web Site 182. After processing the information, a certificate is issued by the Certificate Issuance CGI 162 at the Bank Web Site 182, along with a payment instrument, to the consumer in a Multipurpose Internet Mail Extensions (MIME) message. (See *Haller* Col. 102, lines 25-37). A MIME message is an Internet standard utilized by the *Haller* reference to transmit messages in a particular format. (See *Haller* Col. 58, line 50 to Col. 59, line 17).

In Fig. 1C of *Haller*, reproduced below, a Single Account Wallet 160 at the Bank Web Site 182 represents the MIME message that is created by the Certificate Issuance CGI 162. This MIME message contains a VeriFone wallet, which in turn contains a single payment instrument and the associated certificate issued by the Certificate Issuance CGI 162. When the Certificate Issuance CGI 162 issues the certificate, the MIME message (containing the VeriFone wallet and the certificate) is sent to the consumer's browser 140. The consumer's browser 140 launches a Certificate Installation application 148 that reads the MIME message and installs the VeriFone wallet into the wallet database 158 located on the consumer desktop 186. (See *Haller* Col. 102, lines 35-48.) With the certificate thus stored in the wallet database 158 on the consumer desktop 186, the consumer can use the certificate to authorize payments to the merchants. (See *Haller* Col. 102, lines 15-20.)

Application No. 09/933,567

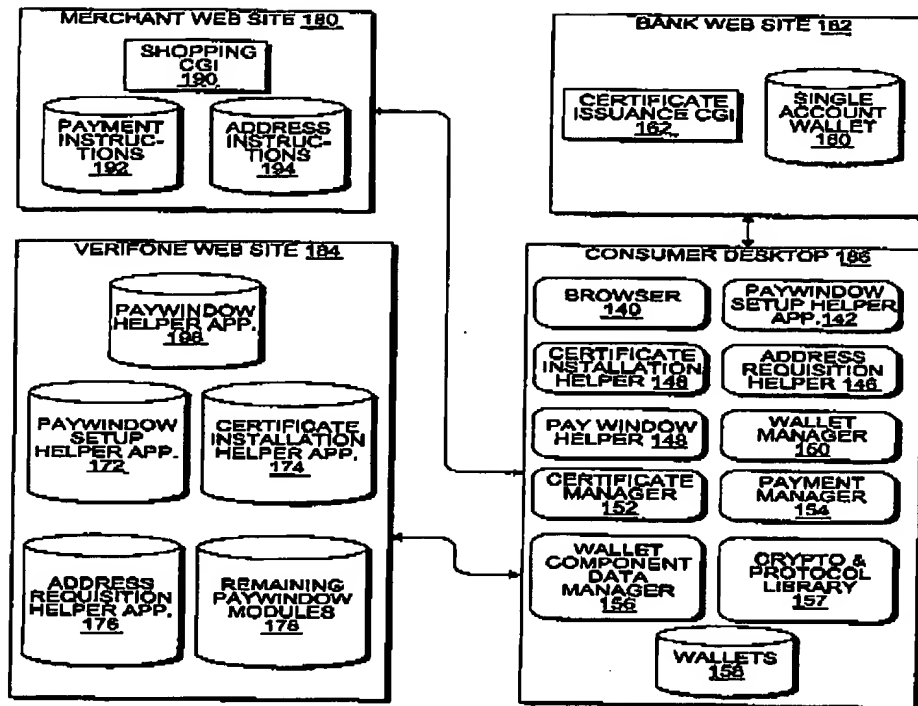


FIG. 1C

Accordingly, *Haller* teaches transmitting consumer information, that was entered by the consumer via a web site, to a Bank Web Site or another certificate issuing agency, such as a credit card association. The consumer information is used to issue a payment certificate to enable online payment processing. The certificate is then transmitted via a wallet file, or "payment instrument holder," to the consumer's software, where it is stored in a wallet database 158 on the consumer desktop 186. (See *Haller* Col. 102, lines 45-48; col. 107, lines 19-47.) Therefore, unlike previously amended Claim 1, *Haller* fails to teach storing the consumer profile information in a central data repository comprising a plurality of information accounts associated with a plurality of different consumers.

Furthermore, as noted by the Examiner, *Haller* does not disclose that the exchanges are authorized and configured to accept the consumer profile information from a particular information account at the request of the consumer, as recited in previously amended Claim 1. The exchanges recited in independent Claim 1 may "comprise a group of entities (e.g., vendor servers) that are

Application No. 09/933,567

authorized and configured to accept consumer information from a particular information account at the request of the consumer.” See paragraph [085] of the Applicants’ specification. The Examiner argues that *Campbell* provides for this feature. However, the Applicants respectfully disagree.

As an initial matter, the Applicants note that *Campbell* was filed on February 14, 2005 and, therefore, might not properly qualify as prior art in relation to Applicants’ application, which was filed on August 20, 2001. *Campbell* claims priority as a continuation-in-part application (CIP) to now-issued U.S. Patent No. 6,856,970, which was filed on September 26, 2000. However, in Applicants’ view, U.S. Patent No. 6,856,970 does not clearly disclose all of the subject matter in *Campbell* that was relied upon by the Examiner in support of the outstanding rejection. Accordingly, Applicants submit that the Examiner has not made a *prima facie* showing that *Campbell* even qualifies as prior art in the instant case.

Even if *Campbell* does properly qualify as prior art, it in no way satisfies the deficiencies of *Haller*. *Campbell* describes a financial transaction system that manages the exchange of financial transaction data between a client system coupled to the financial transaction system by an open network and financial institution transaction processing system. (See *Campbell* Abstract.) Similar to *Haller*, *Campbell* teaches that client information is passed from the client system to a financial institution for processing a financial transaction. In *Campbell*, a web server manages the secure exchange of financial transaction data with each client over the Internet. More specifically, the web server receives information from a client through a web server application and then exchanges this information with a hub server which is connected to financial institutions. (See *Campbell* paragraphs [0069-0073].) Therefore, like *Haller*, *Campbell* does not contemplate the storage of client information in a central data repository.

The Examiner also relies and cites to multiple sections of *Campbell* for teaching that exchanges are authorized and configured to accept the consumer profile information from a particular information account at the request of the consumer. However, not only do the sections of *Campbell* that the Examiner cites fail to teach this feature, *Campbell* fails to teach “exchanges” as taught by Applicants’ application.

The Examiner notes that *Campbell* teaches “managing the exchange of financial transaction system by an open network; and further provides information parsing with respect to profile type

Application No. 09/933,567

corresponding to the financial transaction.” In support of this, the Examiner cites to the “security groups” in Figure 7 of *Campbell*; however, these security groups are merely classifications of users for determining which functions a particular user can perform based on their security group. (See *Campbell* paragraphs [0140-0141].) More specifically *Campbell* provides an extensive list of what types of functions the users can perform; however, none of these features disclose transmitting consumer profile information from a information account to an exchange. (See *Campbell* paragraph [0134].)

The Examiner also cites to *Campbell* for disclosing, in relation to Figures 4 and 5, that incoming financial transaction data from a client is parsed with respect to profile type corresponding to the financial transaction. *Campbell* explains that there are different types of financial transaction data; therefore, there are different extractors provided (such as a SWIFT format mapper, BAI format mapper, and a fixed length mapper) to parse the incoming financial data. (See *Campbell* paragraph [0089].) Applicants respectfully submit that the parsing of information by the extractors of *Campbell* fails to disclose the feature of Applicant’s application that the exchanges are authorized and configured to accept the consumer profile information from a particular information account at the request of the consumer, as recited in Claim 1.

In light of the differences between the subject matter of independent Claim 1 and that of *Haller* and *Campbell*, Applicants submit that neither *Haller* nor *Campbell*, alone or in combination, describe, teach or suggest all of the features recited in independent Claim 1. Applicants further submit that none of the other references cited by the Examiner teach or suggest all of the features of Claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of Claim 1.

#### Independent Claim 5

It is respectfully submitted that *Haller* and *Campbell*, alone and in combination, fail to describe, teach or suggest all of the features set forth in independent Claim 5. As noted above with respect to independent Claim 1, neither *Haller* nor *Campbell* teaches the storage of consumer profile information in a central data repository comprising a plurality of information accounts associated with a plurality of different consumers, as recited in Claim 5. Furthermore, neither

Application No. 09/933,567

*Haller* nor *Campbell* teaches the association of a consumer information account with an exchange that comprises a group of one or more servers that are authorized and configured to accept the consumer profile information from a particular information account at the request of a consumer, as recited in Claim 5.

In light of the differences between the subject matter of independent Claim 5 and that of *Haller* and *Campbell*, Applicants submit that *Haller* and *Campbell* fail, individually and collectively, to teach or suggest all of the features set forth in independent Claim 5. Applicants further submit that none of the other references cited by the Examiner teach or suggest all of the features of Claim 5. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of Claim 5.

#### Independent Claim 9

It is respectfully submitted that *Haller* and *Campbell*, alone and in combination fail, to describe, teach, or suggest all of the features set forth in independent Claim 9. As noted above with respect to independent Claim 1, neither *Haller* nor *Campbell* describes a central data repository accessible over a distributed network, said central data repository comprising a plurality of information accounts, associated with a plurality of different consumers, as recited in Claim 9. Furthermore, neither *Haller* nor *Campbell* teaches the association of a consumer information account with an exchange that comprises a group of one or more servers that are authorized and configured to accept the information from a particular information account at the request of a consumer, as recited in Claim 9.

In light of the differences between the subject matter of independent Claim 9 and that of *Haller* and *Campbell*, Applicants submit that *Haller* and *Campbell* fail, individually and collectively, to teach or suggest all of the features recited in independent Claim 9. Applicants further submit that none of the other references cited by the Examiner teach or suggest all of the features recited in Claim 9. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of Claim 9.

Application No. 09/933,567

Independent Claim 13

It is respectfully submitted that *Haller* and *Campbell*, alone and in combination, fail to describe, teach, or suggest all of the features set forth in independent Claim 13. As noted above with respect to independent Claim 1, neither *Haller* nor *Campbell* describes storing the consumer profile information in a central data repository comprising a plurality of information accounts, associated with a plurality of different consumers, as recited in Claim 13. Furthermore, neither *Haller* nor *Campbell* teaches associating consumer information accounts with exchanges comprising a logical grouping of one or more servers communicating with user devices over a distributed network, and each information account being associated with at least one of said exchanges, wherein the one or more servers are authorized and configured to accept the consumer profile information from a particular information account at the request of a consumer, as recited in Claim 13.

In light of the differences between the subject matter of independent Claim 13 and that of *Haller* and *Campbell*, Applicants submit that *Haller* and *Campbell* fail, individually and collectively, to teach or suggest all of the features set forth in independent Claim 13. Applicants further submit that none of the other references cited by the Examiner teach or suggest all of the features of Claim 13. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of Claim 13.

Independent Claim 20

It is respectfully submitted that *Haller* and *Campbell*, alone and in combination, fail to describe, teach or suggest the features set forth in independent Claim 20. As noted above with respect to independent Claim 1, neither *Haller* nor *Campbell* describes sending a consumer profile information to a central data repository for storage in information accounts associated with a plurality of different consumers, as recited in Claim 20. Furthermore, neither *Haller* nor *Campbell* teaches the affiliation of a consumer information account with an exchange comprising one or more servers that are authorized and configured to accept the consumer profile information from a particular information account at the request of a consumer, as recited in Claim 20.

Application No. 09/933,567

In light of the differences between the subject matter of independent Claim 20 and that of *Haller* and *Campbell*, Applicants submit that *Haller* and *Campbell* fail, individually and collectively, to teach or suggest all of the features recited in independent Claim 20. Applicants further submit that none of the other references cited by the Examiner teach or suggest all of the features of Claim 20. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of Claim 20.

#### Independent Claim 63

It is respectfully submitted that *Haller* and *Campbell*, alone and in combination, fail to describe, teach or suggest all of the features set forth in independent Claim 63. As noted above with respect to independent Claim 1, neither *Haller* nor *Campbell* describes a central data repository storing a plurality of branded information accounts relating to a plurality of different consumers, as recited in Claim 63.

In light of the differences between the subject matter of independent Claim 63 and that of *Haller* and *Campbell*, Applicants submit that *Haller* and *Campbell* fail, individually and collectively, to teach or suggest all of the features recited in independent Claim 63. Applicants further submit that none of the other references cited by the Examiner teach or suggest all of the features of Claim 63. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of Claim 63.

#### Independent Claim 72

It is respectfully submitted that *Haller* and *Campbell*, alone and in combination, fail to describe, teach or suggest all of the features set forth in independent Claim 72. As noted above with respect to independent Claim 1, neither *Haller* nor *Campbell* describes a means for centrally storing a plurality of branded information accounts relating to a plurality of different consumers, as recited in Claim 72.

In light of the differences between the subject matter of independent Claim 72 and that of *Haller* and *Campbell*, Applicants submit that *Haller* and *Campbell* fail, individually and collectively, to teach or suggest all of the features recited in independent Claim 72. Applicants



Application No. 09/933,567

further submit that none of the other references cited by the Examiner teach or suggest all of the features of Claim 72. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of Claim 72.

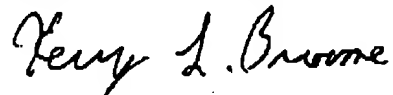
Dependent Claims 2-4, 6-8, 10-12, and 64-71

The Applicants respectfully submit that the above-identified dependent claims are allowable because the independent claims from which they depend are patentable over the cited references. The Applicants also respectfully submit that the recitations of these dependent claims are of patentable significance. In view of the foregoing, the Applicants respectfully request that the Examiner withdraw the pending rejections of dependent Claims 3, 4, 7, 8, 11, 12 and 64-71.

Conclusion

The Applicants submit the foregoing as a full and complete response to the Final Office Action mailed on May 11, 2006. The Applicants and the undersigned thank Examiner Robinson for consideration of these remarks. The Applicants respectfully submit that the present application is in condition for allowance and such action is hereby courteously solicited. If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any formalities that can be corrected by an Examiner's amendment, please contact the undersigned at (404) 572-4647.

Respectfully submitted,



Kerry L. Broome  
Reg. No. 54,004

KING & SPALDING LLP  
1180 Peachtree Street, 34<sup>th</sup> Floor  
Atlanta, Georgia 30309  
(404) 572-4600